

REMARKS

In the Office Action¹ mailed April 28, 2009, the Examiner rejected claims 38-41, 44-46, 48-51, 54-56, 58-61, 64-66, and 68-70 under 35 U.S.C § 102(e) as being anticipated by U.S. Patent 6,987,945 to Corn et al. ("*Corn*"); and rejected claims 47, 57, and 67 under 35 U.S.C § 103(a) as being unpatentable over *Corn* in view of U.S. Published Patent Application No. 2002/0032790 to Linderman ("*Linderman*").

Claims 38-41, 44-51, 54-61, and 64-70 are pending.

Applicants thank the Examiner for granting the June 23, 2009 telephonic interview with Applicants' representative. During the interview, the Examiner and Applicants' representative discussed the claims and cited references. The Examiner agreed to withdraw the rejection of at least claim 38 under 35 U.S.C. § 102(e) in view of *Corn*.

Applicants respectfully traverse the rejection of claims 38-41, 44-46, 48-51, 54-56, 58-61, 64-66, and 68-70 under 35 U.S.C § 102(e) as being anticipated *Corn*.

Claim 38 recites a method for providing access to an electronic course that is hosted by an external system, including "receiving, at a server, metadata defining a course catalog, from the external system," and "sending, by the server, the course catalog to a client device." *Corn* fails to teach, or even suggest, at least the claimed "external system."

¹ As Applicants' remarks with respect to the Office Action's rejections are sufficient to overcome these rejections, Applicants' silence as to certain assertions or requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

Corn discloses a web server 4 that includes an initial web page 6 and other web pages 8, 10, and 12. *Corn*, Figure 1; and col. 6, lines 34-42. Initial web page 6 includes links to web pages 8, 10, and 12, which hold educational content. *Corn*, col. 6, lines 35-37. An electronic device 16 retrieves initial web page 6 from web server 4, and displays the links to web pages 8, 10, and 12. *Corn*, col. 7, lines 49-55.

Corn's initial web page 6 does not constitute the claimed "course catalog" at least because *Corn* does not teach, or even suggest, "receiving, at a server, metadata defining a course catalog, from the external system," as recited in claim 38 (emphasis added). Indeed, *Corn* is silent with web server 4 receiving initial web pages 6 from any "external system."

Claim 38 further recites "transmitting, by the server, a track command to the external system for tracking the user activity through the at least one selected course." *Corn* fails to teach, or even suggest, the claimed "track command."

Corn further discloses a user of electronic device 16 selecting one of the links to web pages 8, 10, and 12, to access the corresponding educational content from web server 4. *Corn*, col. 7, lines 49-55. The accessed web page includes an applet that tracks a length of time that the user takes the course. *Corn*, col. 11, lines 30-35.

Corn's applet does not constitute the claimed "track command" at least because *Corn* does not teach or suggest "transmitting, by the server, a track command to the external system," as recited in claim 38 (emphasis added). Instead, *Corn*'s web server 4 sends the applet to electronic device 16, which the Examiner appears to allege constitutes the claimed "client device." Office Action, pages 2 and 3.

For at least these reasons, *Corn* fails to anticipate claim 38. Independent claims 48, 58, and 68-70, while of different scope than claim 38, distinguish over *Corn* for reasons similar to claim 38. Claims 39-41, 44-46, 49-51, 54-56, 59-61, and 64-66 distinguish over *Corn* at least due to their dependence from one of the independent claims.

Applicants respectfully traverse the rejection of claims 47, 57, and 67 under 35 U.S.C § 103(a) as being unpatentable over *Corn* in view of *Linderman*.

Claims 47, 57, and 67 depend from claims 38, 48, and 58, respectively, and include all recitations therein. As discussed previously *Corn* fails to teach or suggest claims 48, 58, and 68. *Linderman* fails to cure the deficiencies of *Corn* by also failing to teach or suggest the claimed "external system" of claim 38, 48, and 58. Accordingly, combinations of *Corn* and *Linderman* fail to teach or suggest claims 47, 57, and 67.

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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